

City of Canton
Department of Development
Notice of Funding Available



Guidelines and Application
For
Safe Neighborhood Partnership Grant

2012

Mayor, William J. Healy, II
Fonda Williams, Economic Development Director
Lisa Miller, Community Development & Planning Director
Bruce Lawver, Chief of Police

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I General Information

BACKGROUND

The Community Development Block Grant (CDBG) program is operated by the Department of Housing and Urban Development and provides communities with resources that can be used to address a wide range of unique community development needs. Beginning in 1974, the CDBG program is one of the longest continuously run programs at HUD. The CDBG program provides annual grants on a formula basis to 1,180 general units of local government and states.

The CDBG entitlement program allocates annual grants to larger cities and urban counties to assist with the development of viable communities.

Entitlement communities may develop their own programs and funding priorities. However, grantees must give maximum priority to activities that benefit low- and moderate-income persons. A grantee may also carry out activities that aid in the prevention or elimination of slums or blight. Additionally, grantees may fund activities when the grantee certifies that the activities meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available to meet such needs. CDBG funds may not be used for activities that do not meet these broad national objectives.

Each community determines and classifies its need in the Consolidated Plan process. All awarded activities must fall within the guidelines of the City's Consolidated Plan.

A competitive funding pool has been established which will provide opportunities for non-profit entities to access CDBG funds for projects that will serve the community development needs of the city of Canton.

OBJECTIVE

The objective of the Safe Neighborhood Partnership Grant program is to encourage official neighborhood associations to identify projects that will enhance safety, improve security, and address crime prevention, for neighborhoods throughout Canton. The program is also intended to bring people together within their neighborhoods, provide creative solutions to enhance safety, and improve the quality of life for families.

SAFE NEIGHBORHOOD PARTNERSHIP GRANT ACTIVITIES

Eligible Neighborhood Association Projects:

Eligible projects will be those that are determined to improve the overall safety of Canton neighborhoods. Only tangible enhancement projects will be considered for funding. Examples of eligible projects may include but are not limited to the following:

- Neighborhood Police Patrols
- Cameras
- Public Safety Initiatives (i.e. Neighborhood Watch Groups)
- After School Educational Programs (i.e. Gang Awareness)
- Elimination of Slum and Blight (i.e. graffiti removal, demolition, cleanups)

- Major Communication/Media Resources (i.e. a neighborhood association website)
- Safety Training (i.e. self-defense classes, fire safety training, flashlights, fire alarms, carbon monoxide alarms, first aid kits, 911 only cell phones for seniors)
- Youth Safety (i.e. bike locks, helmets, cyclists vests)

Prior to submission, please carefully review the information provided in this application to confirm that your request for funds will qualify under federal CDBG regulations.

A summary of eligible Community Development Block Grant program activities condensed from Federal regulations is included in Attachment I (for information purposes only).

NATIONAL OBJECTIVES

Title I of the Housing and Community Development Act of 1974 requires that any activity funded under the Community Development Block Grant program must meet at least one of the three national objectives:

- 1) provide benefit to low- and moderate- income persons;
- 2) aid in the prevention or elimination of slum and blight; or
- 3) address an urgent community need (not applicable to the Safe Neighborhood Partnership Grant)

At least 70% of the grantee's (the city's) funds must be used for activities that benefit low- and moderate-income persons. Individual activities must benefit at least 51% low- and moderate-income persons.

Applicants must certify that their project is consistent with one of the CDBG National Objectives or guidelines of Federal Forfeiture Funds by completing Form A and returning it with their application.

II PROGRAM REQUIREMENTS

Recipients must abide by the requirements detailed in the Federal Register Part II; Code of Federal Regulations Title 24, Housing and Urban Development and Title 42, Public Health, and OMB Circulars A122 and A133; regulations related to lead-based paint hazards, and other applicable federal and state regulations. Additional requirements, including reporting requirements, may be communicated prior to executing a grant agreement.

The Code of Federal Regulations can be found at <http://www.gpo.gov/nara/cfr/cfr-table-search.html>.

OMB Circulars can be found at http://www.whitehouse.gov/omb/circulars_default.

LEAD-BASED PAINT REQUIREMENTS

Any project requiring rehabilitation of buildings must comply with HUD Lead-Safe Housing Rule, 24 CFR 35, subparts A through Q, and the Lead Renovation, Repair and Painting Rule (40 CFR 745.80, subpart e). City of Canton staff will perform the initial inspections and recommend appropriate actions. For example, installing cameras on a building may trigger Lead-Safe practices.

Copies of the applicable regulations are available for download at <http://www.hud.gov/offices/lead/enforcement/lshr.cfm> and www.epa.gov/lead/pubs/renovation.htm

FACILITY STANDARDS

All properties funded with Federal monies must comply with the City of Canton Residential Rehab Standards. Copies are available for download at <http://www.cityofcanton.com/form.html>.

HANDICAPPED ACCESSIBILITY

All properties funded with Federal monies must comply with Section 504 Standards. Copies are available for download at <http://www.hud.gov/offices/fheo/disabilities/sect504.cfm>.

All CDBG applicants must complete and submit Form B as a statement describing the handicapped accessibility of every facility to be assisted with CDBG funds.

FAIR HOUSING

All properties funded with Federal monies must comply with city of Canton Codified Ordinance 515 Fair Housing Code, which is available at <http://www.cantonlaw.org>.

PREVAILING WAGE

Projects involving construction which are funded with Federal funds may be subject to Davis-Bacon wage determinations as issued by the U.S. Department of Labor. More information can be found at <http://www.gpo.gov/davisbacon>.

AFFIRMATIVE ACTION AND EQUAL EMPLOYMENT OPPORTUNITY

Section 109 of Title I of the Housing and Community Development Act of 1974 states that "no person in the United States shall, on the ground of race, color, national origin, religion, or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with Federal financial assistance."

Applicants who are awarded funding will be asked to provide proof of compliance with City Ordinance 179-74 and with State and Federal Affirmative Action and Equal Employment Opportunity Laws. Information regarding Ohio's Employment Law can be found at <http://ohio.gov/working/>.

III Application Process

The Community Development Block Grant Program is designed to provide communities with resources that can be used to address a wide range of unique community development needs. As a grantee, the city of Canton must give maximum priority to activities that benefit low-and moderate-income persons. The application process is designed to provide applicants with the necessary resources to comply with all Federal requirements and to allow the city to determine that all projects are in compliance with both Federal requirements and the city's Consolidated Plan.

A separate application must be submitted for each program for which funding is requested. Applications must be submitted in sealed envelopes and include five (5) copies of all required documents.

APPLICATION INFORMATION DUE DATE

Completed applicant information for 2012 applications is due by 1:00 PM on May 31, 2012. Send application to:

City of Canton Department of Development
Safe Neighborhood Partnership Grant Program
Attention Reneé Biggums
218 Cleveland Ave SW
PO Box 24218
Canton Ohio 44701-4218

**APPLICATIONS SENT BY FAX OR E-MAIL WILL NOT BE ACCEPTED.
LATE OR INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED.**

ELIGIBLE APPLICANTS

Eligible applicants are incorporated nonprofit organizations that are in good standing with the Ohio Secretary of State and willing to spend grant funds within neighborhoods throughout the City of Canton. Neighborhood Associations that are not incorporated nonprofit organizations must have an incorporated nonprofit organization act as their fiscal sponsor. The sponsor must be in good standing with the Ohio Secretary of State. All payments will be made to the sponsor.

TECHNICAL ASSISTANCE

While Community Development staff is available to answer questions regarding CDBG regulations, applicant and project eligibility and the City's application process, it is the responsibility of the applicant to become educated on the federal regulations that govern the CDBG program, as well as any state or local standards that apply to their program. See the links listed on pages 5 and 6 for assistance.

CONTRACT/GRANT AGREEMENT PROCESS

The Safe Neighborhood Partnership Grant Program is a competitive grant program. Applications will be scored based on established criteria. Documentation of the information

included in the application is crucial for the evaluation and scoring of projects. Applications with documented information such as cost estimates, crime statistics, census data, etc. will be given weighted scoring.

All applicants will be notified of funding decisions by mail within 30 days of the submission deadline. Contracts or grant agreements will be provided to all awardees at that time.

Community Development staff may contact applicants for verification or clarification of information or for additional information prior to a funding decision.

Generally, payment/reimbursements for eligible activities can be made within 45 days of the receipt of the completed contract/agreement and all required paperwork supporting expenditures.

All 2012 grant awards must be expended in accordance with the signed contract or agreement.

CONTRACTS/SUBRECIPIENT AGREEMENTS

The City of Canton Department of Development will enter into contracts or subrecipient agreements with all agencies that are awarded funds. Contracts and agreements will contain provisions for cancellation in cases where the subrecipient fails to adhere to the terms and conditions outlined in the contract or agreement or for other unacceptable performance. Contracts and agreements will:

- Stipulate the total amount of the award;
- Stipulate a specified contract period;
- Indicate the method of funds disbursement; and
- Set forth performance requirements and production schedules, as applicable.

If a sponsor nonprofit agency is involved, that agency will also be a party to the contract. All payments will be made through the sponsor nonprofit organization.

Recipients who have not complied with the terms of previous agreements, (i.e. failure to utilize funds within the time specified, failure to submit requested documents and/or information in the manner requested or in a timely manner) may be denied funding.

LEVERAGE/MATCH

While a match is not required for activities undertaken with CDBG funding, the greater the financial support or leveraging from other sources, the greater the potential impact that CDBG funds will have on meeting local community needs. Applicants with a leverage/match must provide proof of match. Such documentation must verify that sufficient funding is available to carry out the project in a manner that meets Federal requirements. Greater consideration will be given to projects that show proofing of matching funds and that show sufficient funding committed to carry out the program successfully.

The value of the time and services contributed by volunteers to carry out the program at a current rate of \$10.00 per hour. [Note: Volunteers providing professional services such as medical or legal services are valued at the reasonable and customary rate in the community.

Form C Sources of Funding must be completed and submitted with all applications.

MISSIONS STATEMENT AND PROJECT SUMMARY

A summary of the applicant's goals for the project and the benefit to the community must be submitted on Form D with the application.

ADDITIONAL REQUIREMENTS

All applicants must be in good standing with the city for grants previously received. In addition, they must be in good standing with the city of Canton and Stark County in payment of city income tax, real estate taxes, personal property taxes, water and sewer charges or other city assessments for any properties owned within the city of Canton. Form E must be completed and submitted with the application to provide authorization to verify this information.

Primarily religious organizations must agree to provide all activities under this program in a manner that is free from religious influences.

ADDITIONAL DOCUMENTS

Additional documents required with the application:

- Applicant's most recent audit report or most recent financial statement
- Applicant's operating budget for the current year
- Internal Revenue Service 501 (c) designation
- Articles of Incorporation
- Neighborhood Association by-laws, current copy
- Certificate of Good Standing from the Secretary of State
- List of all current members of the organization's board of directors
- Copy of the organization's conflict of interest policy/questionnaire

If the applicant is using a sponsor nonprofit agency, the nonprofit agency must submit the following documents:

- Agency's most recent audit report or most recent financial statement
- Agency's operating budget for the current year
- Internal Revenue Service 501 (c) designation
- Articles of Incorporation
- Organization by-laws, current copy
- Certificate of Good Standing from the Secretary of State
- List of all current members of the organization's board of directors
- Copy of the organization's conflict of interest policy/questionnaire

Failure to submit all required documentation may lead to application disqualification.

ELIGIBLE ACTIVITIES

Applications will be accepted for eligible projects that are determined to benefit the purpose of the program.

INELIGIBLE ACTIVITIES

Ineligible Activities -- 570.207

(a) Assistance for:

- Buildings used for the general conduct of government;
- General government expenses; and
- Political activities.

(b) Assistance for:

- Purchase of construction equipment, fire protection equipment, furnishings and personal property;
- Repairing, operating and maintaining public facilities, improvements and services;
- New housing construction; and
- Income payments.

CDBG funds may not be used for any activity that is in violation of Federal law or the laws of the state of Ohio.

Events and activities that are social in nature, such as block parties and ice cream socials, are not eligible activities.

Regulations and policies are available for downloading on the city's website at www.cantonohio.gov/development. Copies will be provided to agencies without Internet access that are awarded funding.

IV Financial Information

FUNDS DISBURSEMENT

CDBG subrecipients will request their grant award reimbursement by submitting the Request for Disbursement Form with a budget which details itemized expenditures. All CDBG funds must be requested on the CDBG Request for Disbursement Form. **No faxed Requests for Disbursement will be accepted.** Funds will be dispersed upon approval of the budget and receipt of all items identified and requested in the application process. Funds will be disbursed on a reimbursement basis only. Reimbursement checks will be issued within 30 days of approval of submitted invoices.

REPORTING AND MONITORING

All CDBG subrecipients are required to submit certain reports and information to the Department of Development. Reports shall include, but are not limited to, the following information:

- Receipt and expenditure of program funds, including back-up documentation; and
- Breakdown of services provided and demographic information on the persons served.

A Grant Closeout Report is required when the final reimbursement is requested. Funding time limitations will be stated in the signed Contract or Agreement.

City of Canton staff will monitor the use of grant funds through a combination of a review of all quarterly reports, audit review, and site visits. Failure to meet disbursement or reporting requirements could result in funding being revoked.

INSURANCE/BONDING/WORKER'S COMPENSATION

State whether or not your agency has liability insurance coverage, in what amount, and with what insuring agency. State whether or not the agency pays all payroll taxes and worker's compensation as required by Federal and state laws. State whether or not your agency has fidelity bond coverage for principal staff who handle the agency's accounts, in what amount, and with what insuring agency.

APPLICATION CHECKLIST

Documents to be returned as part of application

Check the appropriate box. If item is not included, please explain at the bottom of this page or attach additional pages if needed.

APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT CHECKLIST	YES	NO
Signed, completed, original coversheet (2 pages)		
Benefit to Low- and Moderate-Income Persons Statement		
Handicapped Accessibility Statement		
Sources of Funding		
Equal Employment Opportunity Form		
Missions Statement and Project Summary		
Affidavit		
Most recent audit report		
Operating budget for the current year		
Internal Revenue Service 501 (c) designation		
Articles of Incorporation		
Agency by-laws		
Ohio Secretary of State Certificate of Good Standing		

Sponsor Nonprofit Agency Document Checklist	YES	NO
Signed original cover sheet		
Equal Employment Opportunity Form		
Affidavit		
Most recent audit report		
Operating budget for the current year		
Internal Revenue Service 501 (c) designation		
Articles of Incorporation		
Agency by-laws		
Ohio Secretary of State Certificate of Good Standing		

2012 Safe Neighborhood Partnership Grant Application Coversheet

Neighborhood Association: _____

Project Name: _____

Project Address/Location: _____

Grant Request Amount: _____

Project Located in Council Ward # _____

Project Service Area (please identify specific neighborhood(s)/properties):

Project Description (Please provide a simple phrase or sentence. Form D provides room for further explanation)

Contact Person (*This is the person who will receive ALL grant-related information, i.e. correspondence, telephone calls, e-mails, etc.*):

Name: _____

Title: _____

Telephone: _____ Fax: _____

E-mail: _____

Agency Federal Tax ID# _____

Agency DUNS number _____

The undersigned certifies that:

- a) The information contained in this document is complete and accurate;
- b) The proposed program/project described in this application meets the National Objective of benefiting low and moderate-income persons, as described by CDBG Federal Regulations;
- c) The applicant shall comply with all Federal, state, and city laws, policies and requirements affecting the CDBG Program;
- d) Sufficient funds are available from non-CDBG sources to complete the project as described if CDBG funds are awarded.

Signature of Authorized Applicant Representative

Date

Name and Title of Authorized Applicant Representative (Please print or type)



CDBG NATIONAL OBJECTIVE CERTIFICATION
Form A

(Complete and submit with application)

Applicant seeking CDBG funding must propose activities designed to meet the HUD National Objectives of providing a direct benefit to low- and moderate-income persons or the elimination of slum and blight.

Please select one of the following CDBG eligibility categories for your proposed project.

BENEFIT TO LOW- AND MODERATE INCOME PERSONS

_____ **Low- Moderate-Income Area Benefit:** An activity that benefits all residents in a particular area where at least 51% of the residents are low- and moderate-income persons as determined by the most recently available decennial Census information. (Available on City Website).

If selecting this category, please identify the census tract(s) to be served: _____

BENEFIT TO LOW- AND MODERATE INCOME PERSONS

_____ **Low- Moderate-Income Limited Clientele:** Activities under this category must either benefit a clientele that is generally presumed to be principally low- and moderate-income (abused children, battered spouses, elderly persons, severely disabled adults, homeless persons, illiterate adults, persons living with AIDS and migrant farm workers): **OR** require documentation on family size and income in order to show that at least 51% of the clientele served are low- and moderate- income.

If selecting this category, please identify the primary clientele to be served: _____

ELIMINATION OF SLUM AND BLIGHT

_____ **Public Service Programs:** Public Service Programs are designed to meet the objectives of the city's Consolidated Plan and the National Objective of the elimination of slum & blight. The area must be officially designated by the city and must meet a definition of slum, blighted, deteriorated or deteriorating area under state or local law.

The specific activity is:

- _____ Legal services
- _____ Recreation
- _____ Public facility
- _____ Educational services
- _____ Health services

ELIMINATION OF SLUM AND BLIGHT

_____ **Clearance and disposition programs:** Clearance & Disposition Programs are designed to meet the objectives of the city's Consolidated Plan and the National Objective for the elimination of slum & blight by clearance or demolition of buildings and improvement. The area must be officially designated by the city and must meet a definition of slum, blighted, deteriorated or deteriorating area under state or local law.

The specific activity is:

_____ Clearance
_____ Disposition

Handicapped Accessibility Statement
required for projects involving public services
or rehabilitation of public facilities
Form B
(Complete and submit with application)

_____ Yes _____ No There is sufficient accessibility so that persons with disabilities have an equal opportunity to participate in and benefit from the program.

_____ Yes _____ No The same range of choices and amenities are offered to persons with disabilities as those offered to others.

_____ Yes _____ No Steps are taken to assure that information regarding the availability of accessibility assistance reaches individuals with disabilities.

_____ Yes _____ No Reasonable non-discriminatory steps are taken to maximize participation by eligible individuals.

_____ Yes _____ No Are offices and facilities located on an accessible route and those which can be approached, entered, and used by individuals with physical disabilities?

The Federal Fair Housing Act (FHA) 42 U.S.C. §§ prohibits discrimination in housing practices on the basis of race, color, religion, sex, national origin, familial status, and disability. The Act prohibits housing providers from discriminating against persons because of their disability or the disability of anyone associated with them and from treating persons with disabilities less favorably than others because of the disability. The Act also requires housing providers "to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford such person(s) equal opportunity to use and enjoy a dwelling." In addition, the Act requires that housing providers allow tenants to make reasonable modifications to units and common spaces in a dwelling. The Act applies to the vast majority of privately and publicly owned housing including housing subsidized by the federal government or rented through the use of Section 8 voucher assistance.

Mechanical rooms and other spaces that, because of their intended use, will not require accessibility to the public or beneficiaries or result in the employment or residence therein of individuals with physical disabilities are not required to be made accessible in projects.



**Sources of Funding
Form C**
(Complete and submit with application)

Estimated total project cost: \$_____

Complete the overall project budget below:

TYPES OF FUNDING UTILIZED					
Sources	City CDBG	Private	In-kind	Other	Total
Materials					
Equipment/Supplies					
Other **					

**List/explain "other" costs: _____

List/explain "other" funding sources: _____

Indicate which funds are committed and explain the status of any that are still pending:



Missions Statement and Project Summary
Form D
(Complete and submit with application)

Association Mission Statement: _____

Project Summary (attach to this sheet)

Briefly describe the proposed project. The narrative should include neighborhood and community priorities to be addressed, as well as the population to be served or the area to benefit. Describe the work to be performed, including activities to be undertaken or the services to be provided, the goals and objectives, method or approach, and the implementation schedule.

In your project summary, further indicate:

- a. What are the geographic boundaries of your neighborhood
- b. Provide an estimate of the number of residents to be served and a break down in terms of age, gender, ethnicity, income level and other defining characteristics
- c. List the steps your group will take to complete your project and how long each step will take. (Example: picking up trash 3/6 – 3/7 – 2 days)
- d. Approximately how many houses are in your neighborhood
- e. Describe 2 issues of major concern to your neighborhood association, your goals for impacting these issues and the strategies you are using to achieve these goals. (Attach additional sheets if needed)
- f. What neighborhood project(s) do you wish to have funded with this grant?
- g. Why this project is important to your neighborhood
- h. Clearly identify the skills, abilities, capacities and assets which local residents will contribute to this project.
- i. Describe how this project will help strengthen, mobilize, enhance and expand the local capabilities of your neighborhood organization

**Affidavit
Form E**
(Complete and submit with application)

PROGRAM NAME: _____

ORGANIZATION NAME: _____

ORGANIZATION ADDRESS: _____

STATE OF OHIO)

SS

COUNTY OF STARK)

TO WHOM IT MAY CONCERN:

The undersigned certifies that to the best of his/her knowledge, any officers, director, trustee, or their spouse and/or other immediate family members (are/are not) delinquent in the payment of any indebtedness to the City of Canton, including City Income Tax, real estate taxes, personal property taxes, water and sewer charges or other City assessments for any properties owned within the City of Canton.

The undersigned hereby authorizes the City of Canton Community & Economic Development Department of the City of Canton, to be given information concerning income tax filing status, real estate taxes, personal property taxes, water and sewer charges or other City assessments, and the existence of any delinquencies.

Further, the undersigned states that (he/she) or that to the best of his/her knowledge, any officers, director, trustee, or their spouse and/or other immediate family members is (related/not related), personally and/or through business to (any/the following) City of Canton employee(s) or elected official(s):

COMPLETE ONLY IF RELATIONSHIP EXISTS:

1) _____
RELATIVE'S NAME RELATIVE'S TITLE/DEPT.

2) _____
RELATIVE'S NAME RELATIVE'S TITLE/DEPT.

Signed _____
(Signature/Title)

Signed _____
(Signature/Title)

Sworn to before me and signed in my presence this _____ day of _____ 20__

Signed _____

My commission expires _____



Standards to Determine Compliance with National Objectives

Attachment I

(For information purposes only)

Each activity must meet one of the following broad national objectives:

1. To benefit low- and moderate-income persons.
2. To aid in the prevention or elimination of slums or blight.

At least 70% of the grantee's funds must be used for activities that benefit low- and moderate-income persons; while individual activities must benefit at least 51% low- and moderate-income persons.

1. Activities benefiting low- and moderate-income persons

a) Area benefit activities

(1) An activity, the benefits of which are available to all the residents in a particular area, where at least 51% of the residents are low- and moderate-income persons. The service area must be primarily residential. A service area that contains less than 51% low- and moderate-income residents will be considered to meet the national objective if the proportion of low- and moderate-income persons in the area is within the highest quartile of all areas in the recipient's jurisdiction in terms of the degree of concentration of such persons. HUD will determine the lowest proportion a recipient may use to qualify an area for this purpose.

(2) An activity to develop, establish, and operate for up to two years after establishment a uniform emergency telephone number system serving an area having less than 51% low- and moderate-income residents, provided that prior HUD approval is obtained.

(3) An activity for which the assistance to a public improvement that provides benefits to all residents of an area is limited to paying special assessments levied against residential properties owned and occupied by persons for low- and moderate-income.

(4) An activity that creates or retains jobs either:

- undertaken pursuant to a revitalization strategy covering an area that is either a Federally-designated Empowerment Zone or Enterprise Community or primarily residential and contains no less than 51% low- and moderate-income residents; or
- carried out by a Community Development Financial Institution in a primarily residential area consisting of at least 51% low- and moderate-income persons.

To determine that there is a sufficiently large percentage of low- and moderate-income persons residing in the service area, the most recently available decennial census information shall be used, together with the Section 8 income limits that would have applied at the time the income information was collected by the Census Bureau.

The percent of low- and moderate-income residents may be determined by conducting a current survey of the residents of the service area if the recipient believes that the census data does not reflect current relative income levels in an area, or where census boundaries do not coincide sufficiently well with the service area of an activity. The survey results must meet statistical reliability standards and be approved by HUD.

b) Limited clientele activities

(1) An activity that benefits a limited clientele, at least 51% of whom are low- and moderate-income persons. The activity must meet one of the following qualifying criteria:

(a) The activity must benefit a clientele that is in one of the following categories, generally presumed to be principally low- and moderate-income: abused children, battered spouses, elderly persons, severely disabled adults, homeless persons, illiterate adults, persons living with AIDS, and migrant farm workers; or

(b) Information must be required on family size and income to document that at least 51% of the clientele are persons whose family income does not exceed Section 8 low- and moderate- income limits; or

(c) The activity must have eligibility requirements which limit the activity exclusively to low- and moderate-income persons; or

(d) The activities must be of such nature and in such location that it may be concluded that the activity's clientele will primarily be low- and moderate-income persons.

(2) An activity that serves to remove material and architectural barriers to the mobility and accessibility of elderly or severely disabled persons to publicly- and privately-owned non-residential buildings, public facilities and improvements, and the common areas of residential structures containing more than one dwelling unit.

(3) An activity designed to provide job training and placement and/or other employment support services which assists less than 51% low- and moderate-income persons may qualify if the proportion of the total cost of the project borne by CDBG funds is no greater than the proportion of the total number of low- and moderate-income persons assisted.

d) Job creation or retention activities

An activity designed to create or retain permanent jobs where at least 51% of which, computed on a full time equivalent basis, involve the employment of low- and moderate-income persons. The activity must meet the following qualifying criteria:

(1) Documentation that at least 51% of the jobs created by an activity will be held by, or will be available to, low- and moderate-income persons.

(2) Documentation that the jobs retained by an activity would actually be lost without the CDBG assistance and that at the time CDBG assistance is provided at least 51% of the jobs are held by low- or moderate-income persons or can reasonably be expected to be filled by, or made available to, low- or moderate-income persons within two years.

(3) Jobs not held or filled by low- or moderate-income persons may be considered to be available to low- or moderate-income persons if special skills that can only be acquired with substantial training or work experience or education beyond high school are not a prerequisite to fill such jobs, or the business agrees to hire unqualified persons and provide training; and if the grantee and the assisted business take actions to ensure that low- and moderate-income persons receive first consideration for filling such jobs.

(4) Persons are presumed to be low- or moderate-income if they reside within a census tract that has at least 70% low- and moderate-income residents or that is part either of a Federally-designated Empowerment Zone or Enterprise Community or that has a poverty rate of at least 20%, or that includes a portion of a central business district and has a poverty rate of at least 30%, or that evidences pervasive poverty and general distress.

2. Activities that aid in the prevention or elimination of slums or blight

a) Activities to address slums or blight on an area basis

An activity that aids in the prevention or elimination of slums or blight in a designated area. The activity must meet all of the following qualifying criteria:

- (1) The area, delineated by the grantee, must meet a definition of a slum, blighted, deteriorated or deteriorating area under State or local law.
- (2) There must be a substantial number of deteriorated or deteriorating buildings or public improvements throughout the area.
- (3) Documentation must be maintained on the boundaries of the area and the condition which qualified the area at the time of its designation.
- (4) The activity must address one or more of the conditions that contributed to the deterioration of the area.
- (5) If rehabilitation of residential buildings not occupied by low- and moderate-income persons is undertaken, each such building rehabilitated must be considered substandard under local definition before rehabilitation, and all deficiencies making a building substandard must be corrected before less critical work on the building may be undertaken.

b) Activities to address slums or blight on a spot basis

An activity that eliminate specific conditions of blight or physical decay on a spot basis outside of a slum or blighted area. The activity must be limited to acquisition; clearance; relocation; historic preservation; and rehabilitation of buildings only to the extent necessary to eliminate specific conditions detrimental to public health and safety.

(c) Activities to address slums or blight in an urban renewal area

An activity that aids in the elimination or prevention of slums or blight in an urban renewal area. The activity must meet the following qualifying criteria:

- (1) The activity must be located within an urban renewal project area or Neighborhood Development Project (NDP) action area; and,
- (2) The activity must be necessary to complete the urban renewal plan, as then in effect, including *initial* land redevelopment permitted by the plan.